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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 3753
Confirmation No.: 2145
Application No.: 10/021,467
Invention: MODULAR FLUID PRESSURE
REGULATOR WITH BYPASS
Applicant: Michael J. Diana and David L.
Hamilton
Filed: October 30, 2001
Attorney
Docket: 3030-69091
Examiner: John C. Fox

Certificate Under 37 CFR 1.8(a)

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RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the June 10, 2003 restriction requirement, Applicants submit the following. The Examiner restricted Applicants to the claims of: Group I, claims 1-5 and 9; Group III, claims 6-8, 10-14 and 20-23; and Group II, claims 15-19. However, restriction is only proper where the inventions are *independent and* distinct. 35 U. S. C. § 121, emphasis Applicants'. Claims 6-8, for example, depend directly or indirectly from claim 1, and thus are not independent. They are the antithesis of independent. They are dependent. Thus, as to these claims, restriction to a group which does not also include claim 1 is improper.

Withdrawal of the restriction as it relates to claims 1-5 and 9, on the one hand, and claims 6-8, on the other, is thus respectfully requested. And, since the Examiner has grouped claims 10-14 and 20-23 with claims 6-8, claims 10-14 and 20-23 presumably should also be examined with the group including claims 1-9.

In keeping with the requirement that, to be considered complete, this response must include an election of an invention to be examined even though the requirement be traversed, Applicants elect to have examination of the invention of claims 1-5 and 9, and, if the restriction as between claims 1-5 and 9 on the one hand, and claims 6-8 on the other is ultimately reversed, claims 6-8, 10-14 and 20-23 as well.

Please charge any fees that might be due in connection with this response to restriction requirement to our deposit account 10-0435 with reference to our file 3030-69091. A duplicate copy of this authorization is enclosed for that purpose.

Respectfully submitted,



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